

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

LAW OFFICES OF LEONARD I. DESSER, *
P.C., *

Plaintiff *

v. *

CIVIL NO. JKB-12-2600

SHAMROCK COMMUNICATIONS, INC., *
d/b/a 100.7 FM THE BAY *

Defendant

* * * * *

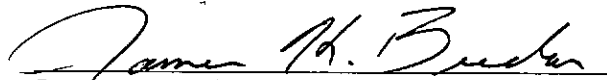
MEMORANDUM

Pending before the Court is Defendant's unopposed motion to dismiss Count III of the amended complaint. (ECF No. 11.) Plaintiff is a Maryland professional corporation. (Compl. ¶ 1, ECF No. 1.) Count III asserts a violation of the Maryland Telephone Consumer Protection Act ("Maryland TCPA"), Md. Code Ann., Com. Law § 14-3201, -3202, based upon Defendant's alleged sending of unsolicited facsimile advertisements to Plaintiff. (*Id.* ¶¶ 35, 44-45.)

In a recent case decided by another judge in this District, it was held that the wording of the Maryland TCPA only allowed a cause of action under the statute to be brought by an individual, a term that did not include corporate entities. *Pasco v. Protus IP Solutions, Inc.*, 826 F. Supp. 2d 825, 843-44 (D. Md. 2011). The undersigned adopts the holding and reasoning set forth in the *Pasco* case. Consequently, Plaintiff's Count III will be dismissed by separate order.

DATED this 6 day of December, 2012.

BY THE COURT:


James K. Bedar
United States District Judge